MANSFIELD TOWNSHIP COMMITTEE MEETING

April 22, 2009

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star-Gazette and the Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Tomaszewski, Mr. Watters, Ms. Nerbak, Mayor Jewell Mr. Baldwin absent

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Ms. Nerbak stated she found a couple of corrections, but they have been made.

Ms. Nerbak made a motion to approve the minutes with corrections from the regular meeting held on March 25, 2009, which was seconded by Mr. Watters.

Ayes: Mr. Tomaszewski, Mr. Watters, Ms. Nerbak, Mayor Jewell

Nays: None Absent: None Abstain: None

PAYMENT OF BILLS:

Ms. Nerbak made a motion to approve the bill list and the addendum which was seconded by Mayor Jewell.

Ayes: Mr. Tomaszewski, Mr. Watters, Ms. Nerbak, Mayor Jewell

Nays: None Absent: None Abstain: None

CFO REPORT:

Mr. Coppola explained the budget to the Township Committee and explained that he would go into more detail on the night of the public hearing.

ORDINANCE:

Mayor Jewell introduced Ordinance 2009-07:

First Reading

ORDINANCE 2009-07

CALENDAR YEAR 2009 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Mansfield in the County of Warren finds it advisable and necessary to increase its CY 2009 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 1.0 % increase in the budget for said year, amounting to \$42,065.57 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Mansfield, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2008 budget year, the final appropriations of the Township of Mansfield shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 147,229.50 and that the CY 2008 municipal budget for the Township of Mansfield be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Ms. Nerbak made a motion to approve the introduction of Ordinance 2009-07 and that a public hearing be advertised, which was seconded by Mr. Jewell.

Ayes: Mr. Tomaszewski, Mr. Watters, Ms. Nerbak, Mayor Jewell

Nays: None Absent: None Abstain: None 2009 Budget Introduction (8:00) Resolution 2009-53

Mr. Watters made a motion to introduce Resolution 2009-53 the 2009 Budget and requested that this be advertised, which was seconded by Mr. Tomaszewski.

Ayes: Mr. Tomaszewski, Mr. Watters, Ms. Nerbak, Mayor Jewell

Nays: None Absent: None Abstain: None

FOP #157 Discussion:

Sgt. Newman was present stating that the police departments concerns about the staffing levels of the police department. Sgt Newman asked that the Township Committee take time to answer the questions of the people present once he was done.

Sgt Newman stated that the Township Committee was given a five year plan for the police department that was inclusive of the upcoming retirement of three officers. Sgt Newman stated that he will be getting his papers to Pensions in May and that he will begin using unused sick time in August of this year and that he will be on the books through May of next year. Sgt Newman also stated that with the five year plan the police department did ask that the Township Committee consider increasing the staffing levels for the upcoming retirements it will take the department down to 12 officers and there is no way for the police department to provide the services that are provided. Right now the amount of overtime is over the amount that is usually used and the officers are presently being told that the overtime needs to be more controlled otherwise there may be officers laid off.

Sgt Newman stated that there was a study conducted and that the department is understaffed and they are asking that the Township Committee consider hiring three officers for coverage. At this time there is a need for required coverage from Hackettstown, Independence, Washington Township because there is not enough coverage for all of the calls especially when there are calls that require more time.

Sgt Newman asked that the Township Committee consider a commitment for three officers so that the police department will have the much needed coverage.

Sgt. Newman also asked what the reason is that the Township Committee will not commit to bringing in officers prior to the retirements of the officers that have the time in. There is a nine month period prior to the officers being out on the road on their own.

Sgt. Newman asked why the township committee did not consider hiring through the Cops grant that had been available, so there would be no cost to the township.

Mayor Jewell stated that Sgt Newman was incorrect and that the Township would have a cost because the number of officers would need to be maintained for the following four years.

Sgt. Newman stated that this township and the residents can not afford to have no police department or a 12 man police department for their safety and the safety of the officers.

Sgt Newman asked on behalf of the other officers if the Township Committee would consider holding Promotional Exam for the retiring officers for the supervisor's positions. There is a lot of talk about mergers and he does not agree with a merger the township should have their own police department. Sgt Newman stated that the FOP has concerns about the hiring of officers and also the possible layoffs through a merger.

Mr. Kobert, Esq. asked if Sgt Newman had an idea of when the other officers plan to retire.

Sgt Newman stated that he did not and that the information would have to come from the other officers.

Russel Uhrig, 7 Clairemont Road, no one should have to go out on the road without assistance. Someone could get hurt and people need the police to get there to assist prior to one of the emergency services arriving on scene. The police department needs to be here in our town he does not agree with this idea. He is in agreement if there needs to be a tax increase to hire 3 officers. Think hard about what our town needs do what is right as a government and don't have personal vendetta.

Mark Niemynski, 6 Highland Ave, what is the plan to cover the shifts if there are no officers to fill the retirees positions.

Mayor Jewell stated that will be covered when the time comes.

Mr. Kobert, Esq. stated that everyone is in hard times and the township committee needs to review all of the items that have come up tonight there has to be a working relationship between the Township Committee and the police department and he believes that there is one and no one is going to be put at risk.

Mr. Niemynski asked if the minimum staffing level for shifts is two or three and when officers are out the township will be spending double the money in overtime to cover the staffing. He explained that he is a Police officer in Washington Twp, Morris County and that they are similar to our schedule with a 12 hour pitman and have 5 man squad and the safety minimum is three man squads.

Mr. Tomaszewski asked what the total budget was.

Mr. Niemynski stated that they have a 9 million budget for police.

Don Warzeka 309 Hazen Road police officer in Hopatcong Boro for 23 years and has lived in this township for 9 years. It is ludicrous to think that this department can run on 12 officers. There is already \$60,000 in overtime for this year in one quarter. This is crazy and it is a large burden on the taxpayers. Three officers out will be three officers short on three shifts. To run police department three short or going to a different municipality will cause people having to wait to long in emergencies due to coverage issues. If there are differences with the Township Committee and

the police department the Committee should consider riding along to see what is involved in a call. 300,000 in difference in hiring people to cover the possible retirements. There is a large amount of time that goes into a call and this will cause longer response times.

Mayor Jewell stated that there have been no discussions with Washington Twp and the current shared services is a study for police feasibility with Allamuchy, Hackettstown, and Mansfield.

Chief Dennis Reilly Independence Twp Police, Tuesday down to six officers 1 man on road 24 hour 7 day operation he is currently working with the committee for his shortages and Independence does try to help with coverage when needed in Mansfield but with a short staff this will not be possible. These guys are dedicated and there hearts are in this and the mutual aid agreements are in place but the officers are sometimes not available because they are on their own calls.

Sgt. Newman stated that there was an article February in the Express that Mayor Jewell stated there the positions will not be filled.

Cate Oakley, stated that she sat on council for 12 years and that 150% of her was behind the police and every time that she begged for a new police no one ever wanted to do this. This is the time to consider the public safety and to fill these positions so that there is coverage in the areas that need it. Is it better to pay overtime or hire an officer for this coverage. The township committee needs to make a commitment to the police department and the public to hire more officers.

Mayor Jewell stated that there is a police study going on right now and at that point we will make decisions.

Mrs. Oakley stated that the study has already been done why would you not use that information why would you wait for results of a new study.

Cate Oakley asked if Mr. Tomaszewski as the police commissioner is behind the police.

Mr. Tomaszewski stated that he supported the police department.

Mrs. Oakley asked if he was in support of hiring another officer to fill empty positions.

Mr. Tomaszewski stated that he believed that the openings are going to come and that the positions will need to be filled.

Dan Schick Fop labor council representative, the council is willing to work with the Township Committee to go over suggestions to get grant money or any other

Jim Moriarity, 15 River Court, he was here about a month ago about the grant and Mr. Baldwin stated that he was waiting for an application from the Chief, was this ever received?

Mayor Jewell stated that the Township Committee chose to not go forward with the grant.

Merle Morris, Brantwood Estates, liability for not having adequate police protection is that true or not true, what is the liability risk for this and this has serious ramifications to the tax payers.

Mr. Kobert, Esq. stated that in this day there is always a risk of being sued, there is coverage through insurance which the township maintains and this is not by the number of officers. There is not an easy answer to this question.

Merle has come to the township for many years and this has always been an issue, this should not be. The township committee should cover this and it should be a top priority if the township should have a minimum number on the force then this should be maintained as an essential. Merle would like to see a commitment on the township committee's behalf. The township committee needs to act and this is the time.

Dick Appleby, Port Murray, 10,000 a year in taxes police department breaks down to about 300 which is less than what is paid for garbage collection. Where will fire and rescue be without the police department to back them up. This would not be efficient and there are many concerns with this. Emergency Services should be the last place to try to cut money. With the talk of the merger why not work with Oxford not the larger towns.

Mr. Watters stated that Washington Township and Oxford are in negotiations presently.

Dick Appleby, the township has one of the finest police departments and three quarters of them are EMTs. The first responder is typically is a police officer and being an EMT helps the situation.

Mr. Kayhart, stated that the police department saved his life with there quick response. Dick Appleby stated again that the Emergency Services should be the last cut.

Paul Tarlowe, Brookside Ave, what is the downside of the Cops grant. If there would need to be officers hired to cover the retirees what would be the downside.

Mayor Jewell stated that we are at 15 right now and if there are two or three hired and that would be a department of 17 or 18 and when the officers retire there would have to be more officers hired to cover the retirees. If the township committee does not hire officers then there would not be coverage for the retirees.

Mayor Jewell stated that he thinks the force should be maintained at 15.

Mr. Tarlowe asked how many officers are on duty during the evening shift.

Mayor Jewell stated that he did not know.

Paul Tarlowe asked why the mayor does not know what the shifts are.

Mayor Jewell stated that he is not on the subcommittee it is Mr. Tomaszewski and Mr. Baldwin.

Mr. Tomaszewski stated that there are no vendettas between himself and the police department.

Don Warzecha, if there are three people that are leaving and there is a commitment and the new hires take a time period to be put on the road. There is no money that will be lost if there are retirements and this will be for coverage.

Mayor Jewell explained again that the numbers would need to be maintained through the grant.

Mr. Warzecha stated that maybe the Township committee would then need to see what the next vacancy would be. Three years ago his wife was dying and our police department was there to help him and they were the first responders. It is a shame that we are here discussing this. The overtime will cost more than the hiring of officers.

Dave Ruppel, 67 Schaffer Road, there seems to be a wall here and there needs to be help for everyone. Resident for 30 years the police force is great they are seen and they will speak with you.

Patti Titus, 614 Valley Road, there is so much being paid in overtime why would the township committee not apply for the grant for coverage.

Jim Erdman, 15 Slope Drive, Hackettstown Police, there have been no discussions with the town chiefs in Mansfield and Hackettstown, there will be no help from the other towns because they are all short handed. There would be no problem with increases taxes.

Bill Darcy, 549 Rockport Road, he understands that there are a number of budget concerns, police department is a concern to the public for police coverage. The population is growing and the police department needs to increase. The department sounds like it will be short staffed in a short amount of time. Take the time to understand the challenges. Ms. Nerbak is showing her support and the other members should also explain.

Dan Schick stated that the grant did have a stipulation in it to cover retirees and to cover possible layoffs. There is a period of time that the grant money will come in and there will be a period of time to hire the officers.

Mayor Jewell stated that there is a non supplanting clause contained within the grant.

Tim Barlow, Washburn Road, grant is a mute point because the deadline has passed. Will the township be maintaining the 15 man force.

Mr. Watters stated that the township committee will be addressing the retirements when the time comes.

Dan Schick stated that there are other grants available also.

Russell Urhic, what is the time frame for the grant.

Mayor Jewell stated that it would be 4 months.

Mr. Urhic asked is the DARE program being done away with.

Mayor Jewell stated that Glen Hydock is presently doing DARE one day a week.

Mr. Uhric asked Mr. Tomaszewski if he has gone to the police department and if he knows the workings of the police department.

Mr. Tomaszewski stated that he does not know everything, but that he has been learning the procedures.

John Hirlinger, 11 Harmony Lane, one point tough economic times when there are cutbacks crime rates go up. When crime increases it decreases the security of the people. We are rural and there are a number of local towns that have high crime. People doing crime are not dumb and the crime rate will go up and the safety is being sacrificed.

Cindy Rigalski, 1 Walter Terrace, the crime is here. She worked for 6 months at Mansfield Village and there was crime which is why it only lasted 6 months. The apartments are where the crime is. They do not follow any of the rules. The taxpayers have to pay for the service and the apartments are where the officers are. She believes that the apartments should pay there share for the police services.

Mr. Tomaszewski stated that he agreed with Ms. Rigalski.

Mrs Oakley asked if the Open Space tax is being reduced from three to two cents why is there not 1 cent that could be used towards the police department, or why not place a question on the ballot for the hiring of officers.

Mayor Jewell stated that the Committee is going to wait for the Feasibility Study to be completed.

Ms. Nerbak explained the Feasibility Grant to the people in the audience.

Mr. Buchman, 114 Marilyn Drive, the study is a good idea but that is three months away. A merger will cause what is already thin to be thinner. It may be incumbent for the Township Committee to have a plan in place for a recruitment process once a retirement letter is received, so that there is no deficit. 15 is a bare minimum. The grant slipped away, but there are other grants available. The Township Committee should consider forming a committee with citizens and committee and police to make things better.

Paul Tarlowe, what agency started the study and why consider merging with Allamuchy.

Mayor Jewell stated that this was something that Hackettstown, Allamuchy and Mansfield had all decided to do.

Diane Cecere, Cherry Tree Bend Road, stated that these are the individuals that put there lives on the line for all of us. It is not about money or statistics it is about people. These people are leaving their spouses and there families and are putting their lives on the line.

Mayor Jewell made a motion to take a five minute break at 9:00.

Return at 9:13. All members here.

CLERKS REPORT:

Ms. Hrebenak stated that the Tax Assessor has previously worked with Izenberg Appraisal for the Tax Appeals and has asked that the Township Committee make a motion to approve Izenberg Appraisal for appraisal services.

Ms. Nerbak made a motion to approve which was seconded by Mayor Jewell.

Ayes: Mr. Tomaszewski, Mr. Watters, Ms. Nerbak, Mayor Jewell

Nays: None Absent: None Abstain: None

ENGINEERS REPORT:

Mr. Mace explained all of the new regulations for the Stormwater management plan.

PUBLIC PORTION:

Mayor Jewell opened the floor for public comment:

Mr. Glen Todd, Washburn Road, what is the business of Comcast trying to get a 15 contract as opposed to 10. The company has not answered all of his questions in the last 10 years let alone recently.

Mr. Kobert explained that the Township has very little to do with the regulations it is handled by BPU and explained the negotiations with Comcast to Mr. Todd.

Mr. Todd asked if there could be a task force to hold them up to a higher standard.

Mr. Kobert stated that this could not be done.

Sidney Clarke stated that everyone could boycott them.

Mr. Todd what about the people with a limited budget that can not afford this service.

Mrs. Todd asked if this moved to a 15 year bonus.

Mr. Kobert stated that the contract had not been signed and we could negotiated whatever we want.

Mr. Moriarity asked could we get another company in.

Mr. Kobert stated that there is not another company in the area that is providing this service.

Matt Tierhaut, 2704/14, asked about the property that he had asked about purchasing from the township committee in August.

Ms. Hrebenak explained that this is one of the properties that is included on the property list for auction on May 2.

Mr. Kobert stated that the Township Committee could sell the property to Mr. Tieraut and that we would be in contact with him.

Doug Wright Komar Road, asked about the appliance company on Route 57.

Mr. Mace explained all of the happenings with this gentleman and that he had been cited again and the court case is on Monday for signs and appliances. The township is going to attempt to rectify this situation.

Mr. Wright asked about the property next to him and asked that the township addressed this property.

Mr. Wright asked that the township committee revisit the property maintenance ordinance.

Mayor Jewell asked if there was anyone else in the public that had any comments; seeing as there were no other comments the public comment portion was closed.

RESOLUTION:

2009-49 RESOLUTION Cancellation of Tax Sale Certificate Certificate # 95-025

WHEREAS, the following property has an outstanding certificate for property taxes for 1994 through 2001;

WHEREAS, this outstanding certificate occurred due to the property being removed from the tax duplicate in 2002;

WHEREAS, the property was removed due to the fact that it does not exist and is therefore an erroneous assessment:

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 22nd day of April 2009 that the Tax Collector can cancel the following Tax Sale Certificate:

Certificate # 95-025 Block 3113 Lot 3 Estate of I. Blenman Mount Bethel Rd. Ms. Nerbak made a motion to approve the passage of Resolution 2009-49, which was seconded by Mr. Watters.

Ayes: Mr. Tomaszewski, Mr. Watters, Ms. Nerbak, Mayor Jewell

Nays: None Absent: None Abstain: None

RESOLUTION NO. 2009-50

WHEREAS, the temporary municipal budget for the year 2009, was approved on the 1st day of January, 2009; and

WHEREAS, an emergent condition has arisen with respect to the need to provide municipal services while the amount of aid from the State of New Jersey to offset property taxes is not yet certain and no adequate provision has been made in the 2009 temporary appropriations for this delay, and NJSA 40A:4-20 provides for the creation of an emergency temporary appropriation; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2009 pursuant to the provision of NJSA 40A:4-20 including this resolution total \$580,972.67,

NOW THEREFORE, BE ITS RESOLVED by the Township Committee of the Township of Mansfield, County of Warren, that the following amendment to the temporary budget be made:

Appropriation:

Salaries & Wages \$300,000.00
Other Expenses \$200,000.00
Capital Improvement Fund \$80,972.67

Ms. Nerbak made a motion to approve the passage of Resolution 2009-50, which was seconded by Mr. Jewell.

Ayes: Mr. Tomaszewski, Mr. Watters, Ms. Nerbak, Mayor Jewell

Nays: None Absent: None Abstain: None

RESOLUTION 2009-51

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE TOWNSHIP OF MANSFIELD AND TEAMSTERS UNION LOCAL #469

WHEREAS, the Township of Mansfield and Teamsters Local #468 have successfully concluded negotiations setting new terms and conditions of employment for the members of the bargaining unit within the Township's Department of Public Works; and

WHEREAS, the Township of Mansfield and Teamsters Local #468 desire to enter into a Memorandum of Agreement confirming these new terms and conditions of employment, which will be in effect from January 1, 2009 through December 31, 2009.

NOW, THERFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, in the County of Warren, State of New Jersey, as follows:

- 1. The Mayor and Township Clerk are hereby authorized to finalize and execute the attached Memorandum of Agreement between the Township of Mansfield and the Teamsters Local #469, confirming the terms and conditions of employment for 2009 for the Department of Public Works bargaining unit.
- 2. A copy of the executed Memorandum of Agreement will be maintained on file in the office of the Township Clerk for inspection by the public until such time as a successor agreement has been executed.
- 3. This resolution shall take effect upon approval.

Mr. Watters made a motion to approve the passage of Resolution 2009-51, which was seconded by Mr. Tomaszewski.

Ayes: Mr. Tomaszewski, Mr. Watters, Ms. Nerbak, Mayor Jewell

Nays: None Absent: None Abstain: None

2009-52

Resolution Of The Township of Mansfield Making Application To The Local Finance Board Pursuant To N.J.S.A 40A:4-45.44 et seq.

WHEREAS, the Township Committee of the Township of Mansfield in the Count of Warren desires to make application to the Local Finance Board for its approval of a proposed levy cap waiver pursuant to N.J.S.A. 40:4-45.44 et seq. and,

WHEREAS, the Township Committee believes that:

- (a) it is in the public interest to accomplish such purpose; and,
- (b) the levy cap waiver is for the health, wealth, convenience or betterment of the inhabitants of the Township of Mansfield; and,

(c) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Township of Mansfield and will not create an undue financial burden to be placed upon the Township of Mansfield

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield as follows:

Section 1. The application to the Local Finance Board is hereby approved, and the Chief Financial Officer, along with other representatives of the Township of Mansfield are hereby authorized to prepare such application and to represent the Township of Mansfield in matters pertaining thereto.

Section 2. The Municipal Clerk of the Township of Mansfield is hereby directed to file a copy of the proposed levy cap waiver with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

Mr. Watters made a motion to approve the passage of Resolution 2009-52, which was seconded by Mr. Tomaszewski.

Ayes: Mr. Tomaszewski, Mr. Watters, Ms. Nerbak, Mayor Jewell

Nays: None Absent: None Abstain: None

ORDINANCE:

Mayor Jewell presented Ordinance 2009-08:

First Reading

2009-08

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF CERTAIN PROPERTY OWNED BY THE TOWNSHIP AND NOT REQUIRED FOR PUBLIC PURPOSES, PURSUANT TO N.J.SA. 40A:12-13(b)(1).

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-13(b)(1) authorizes the sale by municipalities of any real property, capital improvements or personal property or interests therein, not needed for public use by private sale to any political subdivision, agency, department, commission, board or body corporate and politic of the State of New Jersey; and

WHEREAS, the Township of Mansfield is the owner of a 1955 Ward LeFrance Fire Truck not needed for public use and the Township Committee has determined that it is in the best interest of the Township to sell the property for a nominal sum because of the high cost of insuring the same; and

WHEREAS, Fire Company No. 1 has expressed an interest to the Township of Mansfield, of purchasing the Fire Truck for a nominal sum; and

WHEREAS, there is a decided benefit to the taxpayers of the Township of Mansfield, for the Fire Truck to be transferred to Fire Company No. 1 for its use.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY, as follows:

Section 1

The Township's 1955 Ward LeFrance Fire Truck shall be sold at private sale to Mansfield Fire Company No. 1 for nominal consideration pursuant to N.J.S.A. 40A:12-13(b)(1). The Mayor and Township Administration are hereby authorized to finalize and execute the attached Vehicle Sales Agreement and take such other reasonable steps that may be necessary to implement this sale.

Section 2

This ordinance shall take effect immediately after passage.

Section 3

Any ordinance that is inconsistent with the foregoing shall be deemed repealed by this ordinance.

Mr. Watters made a motion to introduce Ordinance 2009-08 and requested that the public hearing be advertised for May 13, 2009 at 8:00, which was seconded by Mr. Jewell.

Ayes: Mr. Tomaszewski, Mr. Watters, Ms. Nerbak, Mayor Jewell

Nays: None Absent: None Abstain: None

Second Reading

Mayor Jewell opened the floor for public comment on Ordinance 2009-06; seeing that there was no comment the public comment portion was closed.

ORDINANCE 2009-06

AN ORDINANCE TO AMEND ORDINANCE 01-97 AND ORDINANCE NO. 2002-23 OF THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY, ESTABLISHING AN OPEN SPACE TRUST FUND

BE IT ORDAINED by the Mayor and Township Committee of the Township of Mansfield, County of Warren, New Jersey:

1. Ordinance No. 01-97 and No. 2002-23 creating an Open Space Trust Fund, is hereby amended to read as follows:

SECTION 3. FUNDING.

The Municipal Open Space, Recreation and Farmland and Historic Preservation Trust Fund shall be funded through the dedication to the fund of an amount of \$.02 per \$100.00 of assessed valuation of each annual tax levy commencing with the year tax and budget year 2009. The Fund shall also be permitted to accept donations and testamentary bequests. The accumulated receipts and deposits within the Fund may be utilized for the purposes set forth in Section 1 and Section 2 herein. Any and all interest accruing shall be retained in and used for the same purposes as established in accordance with Section 1 and Section 2 herein.

2. All ordinances inconsistent with the foregoing, shall be deemed repealed by this Ordinance.

This Ordinance shall take effect immediately upon publication as provided by Law.

Mayor Jewell opened the floor for public comment; seeing as there were no comments the public hearing was closed.

Mr. Watters made a motion to approve the passage of Ordinance 2009-06 and requested that the results be advertised, which was seconded by Mr. Tomaszewski.

Ayes: Mr. Tomaszewski, Mr. Watters, Mayor Jewell

Nays: Ms. Nerbak Absent: None Abstain: None

COMMITTEE PERSON COMMENTS:

Mayor Jewell made a proclaimtion to the older Americans and requested that a copy of that be forwarded to the seniors and

Mayor Jewell asked who would be in attendance at the Warren County League meeting at Bella Giorno.

Ms. Nerbak, Mayor Jewell, Mr. Tomaszewski all stated that they would be attending.

Mayor Jewell stated that there was a number of correspondence that was on the dais this evening.

Ms. Hrebenak asked if the Township Committee would like for these piece to be held for the next packet.

The township committee agreed that they would rather receive the correspondence.

Ms. Nerbak commented on the letter that is on the back of the police about the pole that was snapped.

Ms. Nerbak stated that the township should try to recoup the money that was spent and turn this into the insurance company.

Ms. Hrebenak stated that she would get the information and get it taken care of.

Mr. Watters asked if both school budgets passed.

Ms. Nerbak stated that she had heard that Mansfield School passed by two votes and that Warren Hills failed.

Ms. Nerbak received correspondence from the Census Bureau requesting that the township appoint a volunteer

Mr. Tomaszewski went through the items that have been completed by the DPW.

Ms. Nerbak stated that there was a letter that was received from the Shoppes at Mansfield commending Mr. Mace, Paul Zorn and Bill Wismer.

Mr. Tomaszewski made a motion to adjourn at 10:08 which was carried by all.